

In re Patent Application of:

MONK ET AL.

Serial No. 10/718,546

Filed: 11/24/2003

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REMARKS

Claims 1 to 19 were previously pending in this application.

Claims 1 to 19 have been rejected under 35 U.S.C. § 102(a), as being anticipated by U.S. Patent Publication 2005/0081157 (Clark et al.).

Amendments to Claims

The claims of the application have been amended to overcome the objections of the Examiner and to better define the invention in light of the prior art. In particular, claims 1, 17, 18 and 19 have been amended to clarify that the network analysis devices conduct tests on different segments of a network, whereby a plurality of segments between selected locations can be tested. Moreover, claims 1, 17, 18 and 19 have been amended to clarify that the results of the tests from the network analysis devices are compiled and displayable in aggregation, correlation and individual measurement formats, enabling a fast and easy navigation between overall test results between the selected locations, individual test results for specific segments compared to other specific segments, and specific measurements of each segment at specific times.

The Clark et al reference relates to the management of a plurality of ``entities'' (Par 0034-0036), e.g. computers, servers. Accordingly, the type of monitoring disclosed in the Clark et al reference relates to monitoring the computer's performance, e.g. processor utilization, memory availability, server requests per minute (Par 0049), not the testing of a

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segment of an IP network between nodes, e.g. jitter, packet delay and packet loss. The Clark et al reference discloses the display of an aggregated measure of the performance of the computers in an entity, and the display of the individual performance of one of the computers in the entity, but does not disclose an aggregated display of the combination of the selected network segments between nodes, the correlated display of the various segments for comparison purposes, and the specific display of individual measurements at certain times. Accordingly, a technician can easily view and determine if a path between locations in the network is operating within standards, which segments of the path are not performing up to standards, and how badly each segment is performing at certain times.

Claim 2 has been amended to further define that the segments of the IP network are adjacent segments to clarify that the segments represent a path through a network between specific locations.

Should any minor informalities need to be addressed, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

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Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees, to Deposit Account No. 50-1465 and please credit any excess fees to such deposit account.

Respectfully submitted,

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